



# STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Public Hearing-February 27, 2023  
Transportation Committee

Testimony Submitted by Commissioner Garrett Eucalitto  
Department of Transportation

**S.B. 1082 - AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF TRANSPORTATION REGARDING A REDUCTION IN THE BLOOD ALCOHOL LIMITS FOR IMPAIRED DRIVING AND BOATING, ESTABLISHING THE CONNECTICUT PUBLIC TRANSPORTATION COUNCIL, THE SHORELINE EAST STUDY AND MOTOR VEHICLES IN LIVERY SERVICE.**

The Department of Transportation (CTDOT) would like to testify in full support of one of CTDOT's agency proposals, S.B. 1082. This bill contains four separate and distinct proposals from CTDOT.

Sections 1 through 9 include a CTDOT proposal to dramatically improve safety on our state's roadways. While roadway fatalities have increased to the highest levels we have seen in decades, CTDOT has been dedicated to finding solutions that will save lives and research shows that lowering the Blood Alcohol Concentration (BAC) per se limit to 0.05% is one of those proven solutions. The National Transportation Safety Board (NTSB) has found that the risk of being in a fatal crash (single-vehicle) is at least seven times higher for drivers with a 0.05%-0.079% (BAC) than for drivers with no alcohol in their system. The NTSB has included lowering the BAC on its Most Wanted List of transportation safety improvements and estimates that lowering the BAC in every state to 0.05% could save up to 1,790 lives per year.

From 2011-2020, alcohol-impaired crashes accounted for more than one third of all traffic fatalities in Connecticut (38-42%). Based on the most recent available verified data, in 2020, 118 persons were killed in alcohol-impaired crashes, which accounted for 40% of all fatalities in Connecticut compared to 30% nationally. The national percentage of alcohol-impaired fatalities shows a declining trend over the past two decades, while Connecticut has inversely seen an *increase* in alcohol-impaired fatalities over the past two decades. It is imperative for Connecticut to address this alarming pattern, and lowering the BAC is an appropriate measure that aligns with data and the goals of multiple leading organizations in this field of study.

In his first year in office, Governor Lamont attended a National Governor's Association conference in Utah where he learned firsthand about the benefits of their 0.05% BAC law. Utah became the first state to pass a 0.05% BAC law in 2018, and in 2019, the first year following the implementation of 0.05%, Utah's fatal crash rate dropped by 19.8%, significantly better than the rest of the country. Many of the concerns raised during Utah's legislative deliberation of lowering the BAC never came to fruition: a recent National Highway Traffic Safety Administration report found that, following enactment of the law, alcohol sales

and per capita consumption increased, as did tourism and tax revenues, while arrests for alcohol did not increase markedly.

Since Utah's enactment in 2018, six additional states – California, Michigan, New York, Oregon, Hawaii, and Washington – have introduced bills to reduce the legal BAC limit to 0.05%. More than 100 countries, including 25 of 27 European Union member countries, have established maximum BAC limits of 0.05% or below.

Not only would lowering the BAC to 0.05% have a dramatic effect on lowering fatal crashes, it would also significantly reduce the economic impact on taxpayers who indirectly pay for the repercussions of these crashes. Scientific evidence shows that virtually all drivers are impaired at 0.05% BAC, and the risk of being involved in a serious or fatal crash is significantly higher than it is for drivers with no measurable BAC. Lowering Connecticut's BAC level from 0.08% to 0.05% would only serve to save lives and deter drivers from getting behind the wheel when they are impaired.

Sections 10 and 11 of the bill expand the focus of the existing Connecticut Commuter Rail Council from only commuter rail to include all modes of public transportation, and these sections rename the council to the Connecticut Public Transportation Council. CTDOT strongly feels that the bus users should be represented as public transportation users in the state and this change would give transit bus users the same voice that users of our rail system have had through the Connecticut Commuter Rail Council; this proposal also recognizes that our state's public transportation system is an integrated multi-modal network that should be discussed in totality. However, the language included in this bill is slightly different from CTDOT's agency proposal and would unintentionally exclude certain bus transit users who may use services provided by a transit district rather than CTtransit; we would welcome the opportunity to work with the committee on refining this language.

Section 12 of the bill extends the deadline for the Shoreline East Rail Line Feasibility Study until December 1, 2023. Due to the scope of the study and the robust public engagement and outreach that CTDOT has been involved in, additional time is needed to finish up the remaining components of the study. The station location siting, equipment and system needs as well as ridership forecasts and a final round of public meetings are all scheduled to commence in the fall of 2023 which will allow CTDOT to meet a deadline of December 1, 2023.

Sections 13 and 14 support CTDOT's initiative to streamline processes within the agency. These sections would increase the number of livery vehicles an operator can request without a hearing each calendar year from two to four (two vehicles per application) and clarify the livery services that fall under the expedited process. They would also grant a hearing officer power to require remedial actions including re-education for driving skills, an important step to improve safety on our roadways.

We want to thank the Transportation Committee for allowing CTDOT to testify on our agency proposals included in this bill, especially lowering the BAC to .05 which is a critically important proposal to improve roadway safety. If you are interested in additional information on the positive experience of Utah's lowering of the BAC, we encourage the committee to review NHTSA's 2022 report, "Evaluation of Utah's .05 BAC Per Se Law", which can be found at the following web address: <https://rosap.nhtl.bts.gov/view/dot/60428>.

For further information or questions, please contact Anne Kleza ([anne.kleza@ct.gov](mailto:anne.kleza@ct.gov)) at the Department of Transportation at (860) 594-3013.